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10/777,011	02/10/2004	Anthony M. Singer	0114855-003	3407

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EXAMINER	
PINHEIRO, JASON PAUL	
ART UNIT	PAPER NUMBER
3714	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/777,011	SINGER ET AL.	
	Examiner	Art Unit	
	Jason Pinheiro	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/08/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. After the amendment filed on 10/08/2008, Claim 1, 18 and 36-37 were amended, and claims 43-44 were newly added. As a result claims 1-12, and 14-44 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 5-6, 12, 14-15, 18-23, 28-30, 33-39, and 41-42 are rejected under 35 U.S.C. 103(a) as being obvious over Falconer (US 6832957) in view of Hurst (GB 2083936A).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and

reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Regarding claims 1, 18, 36-38, and 41-44: Falconer discloses a gaming device comprising: a cabinet (Col. 4, Lines 36-40) (figures 1A and 1B); at least one display device mounted to the cabinet (Col. 5, Lines 15-20) (figures 1A and 1B); and at least one processor programmed to operate with the at least one display device for a play of the game (Col. 5, Lines 45-48) to: (a) separately and simultaneously display a plurality of reel displays of a set of reels (Col. 8, Lines 32-35), wherein each reel display includes a copy of said set of reels and is associated with a different one of a plurality of paylines (abstract) (Col. 3, Line 66 – Col. 4, Lines 1-4); (b) activate the set of reels to generate a plurality of symbols based on a random determination (Col. 7, Lines 22-33); and (d) provide an award to a player based on any winning combination of symbols occurring on said paylines (Col. 7, Lines 34-38). However, Falconer does not disclose displaying the same plurality of said symbols generated on the set of reels based on said same random determination on each of the reel displays.

Hurst '936 does disclose displaying the same plurality of said symbols generated on the set of reels based on said same random determination on each

of the reel displays. (Pg. 3, Lines 42-44) (paylines on the mechanical reels are displayed on the video display unit). Although Hurst does not disclose displaying each of the plurality of different paylines, it would have been an obvious modification at the time the invention was made to display each of the plurality of paylines all at once because displaying them all at once would yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

Therefore it would have been obvious to one skilled in the art to integrate the teachings of Hurst into the teachings of Falconer since the displaying all the winning payline combinations separately all at once would yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

Regarding claim 2: Falconer further discloses that the award includes the sum of all of the awards associated with the winning combinations of symbols occurring on the paylines (Col. 3, Lines 54-59);

Regarding claim 5: Falconer discloses that the paylines include at least one payline selected from the group consisting of: a horizontally extending payline, a vertically extending payline, a diagonally extending payline and any combination of these paylines (Col. 6, Lines 61-65);

Regarding claim 6: Falconer discloses said at least one processor is programmed to operate with said at least one display device to provide a bonus

award to the player when a designated number of winning combinations of the symbols occur on the paylines (Col. 8, Lines 4-6);

Regarding claim 12: Falconer discloses that a selector controlled by said at least one processor, said selector adapted to enable the player to select at least one of the reel displays (Col. 7, Lines 9-21);

Regarding claim 14, and 15: Falconer discloses that said at least one processor is programmed to operate with said at least one display device to provide a bonus award to the player when at least one winning combination of the symbols occurs on the paylines of all of said reel displays selected by the player (Col. 7, Lines 55-60);

Regarding claim 19, and 39: Falconer discloses that the award includes providing the sum of all of the awards associated with any winning combination of symbols occurring on the paylines (Col. 3, Lines 54-59);

Regarding claim 20: Falconer discloses displaying the reel displays on at least two display devices (Col. 5, Lines 15-23);

Regarding claim 21: Falconer discloses that the paylines include at least one payline selected from the group consisting of: a horizontally extending payline, a vertically extending payline, a diagonally extending payline and any combination of these paylines (Col. 6, Lines 61-65);

Regarding claim 22: Falconer discloses providing a bonus award to the player when a designated number of winning combinations of the symbols occur on the paylines (Col. 8, Lines 4-6);

Regarding claim 23: Falconer discloses that the designated number of winning combinations are predetermined (Col. 7, Lines 45-47);

Regarding claim 28: Falconer discloses providing a selector controlled by at least one processor, wherein said selector enables the player to select at least one of the reel displays (Col. 7, Lines 9-21);

Regarding claim 29: Falconer discloses providing a bonus award to the player when at least one winning combination of the symbols occurs on the paylines of at least one of said reel displays selected by the player (Col. 7, Lines 45-47);

Regarding claim 30: Falconer discloses providing a bonus award to the player when at least one winning combination of the symbols occurs on the paylines of all of said reel displays selected by the player (Col. 7, Lines 55-60);

Regarding claim 33: Falconer discloses operating the gaming device through a data network (Col. 6, Lines 8-20);

Regarding claim 34: Falconer discloses that the data network is an internet (Col. 6, Lines 8-20);

Regarding claim 35: Falconer discloses that computer instructions for implementing the steps are stored in a memory device (Col. 5, Lines 51-55).

4. Claim 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falconer (US 6832957) in view of Hurst (GB 2083936A) as applied to claims 1, and 18 above, in further view of Cole et al (US 2004/0137978).

Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst disclose a second display device mounted to the cabinet, wherein one of the reel displays is displayed by said display device and said other reel displays of the plurality of reel displays are displayed by said second display device; or a second display device mounted to the cabinet, wherein a plurality of the reel displays are displayed by said display device and other reel displays of the plurality of reel displays are displayed by said second display device; or displaying the reel displays on more than one display devices.

Cole '978 does disclose a second display device mounted to the cabinet (paragraph [0048]), and that each display is operable to display independently different game information relating to the gaming device (paragraph [0082]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teaching of Cole into the combined teaching of Falconer and Hurst in order to yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

5. Claims 7-11, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falconer (US 6832957) in view of Hurst (GB 2083936A) as applied to claims 1, and 18 above, in further view of Baerlocher et al (US 6336863).

Regarding claims 9, and 25: Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst disclose a bonus award provided to the player when a designated number of winning combinations of the

symbols occur on the paylines; or that a bonus award provided to the player when winning combinations of the symbols occur on a designated percentage of the paylines.

Baerlocher '863 does disclose a bonus award provided to the player when a designated number of winning combinations of the symbols occur on the paylines (Col. 3, Lines 63-67). Although Baerlocher does not specifically disclose the bonus being awarded when a percentage of the paylines contain winning combinations, basing the award on the percentage of paylines containing winning combinations would have yielded a predictable result and therefore would have been an obvious modification to one skilled in the art at the time the invention was made.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teaching of Baerlocher into the combined teaching of Falconer and Hurst in order to create a more exciting gaming device for players to play (Falconer Col. 1, Lines 43-48).

Regarding claim 7-8, 10-11, 24, and 26-27: Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst disclose that the designated number of winning combinations is pre-determined by the processor; that the designated number of winning combinations is randomly determined by the processor; that the designated percentage is pre-determined by the at least one processor; or that the designated percentage is randomly determined by the at least one processor.

Baerlocher '863 does disclose that the designated number of winning combinations is pre-determined (Col. 3, Lines 15-21). Although Baerlocher does not specifically disclose that the designated number of winning combinations is randomly determined or that the designated percentage is randomly or pre-determined, these would have yielded predictable results and therefore would have been an obvious modifications to one skilled in the art at the time the invention was made.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teaching of Baerlocher into the combined teaching of Falconer and Hurst in order to create a more enjoyable game for players to play (Falconer Col. 1, Lines 43-48).

6. Claims 16, 31, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falconer (US 6832957) in view of Hurst (GB 2083936A) as applied to claims 1, and 18 above, in further view of Meyer (US 20020082075).

Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst disclose that the display device is operable to individually display the award associated with each of the winning combination of symbols which occur on the paylines; and individually displaying the award associated with each of the winning combination of symbols which occur on the paylines.

Meyer '075 does disclose that the display device is operable to individually display the award associated with each of the winning combination of symbols

which occur on the paylines (Pg. 2, Para. 33, Lines 1-4); and individually displaying the award associated with each of the winning combination of symbols which occur on the paylines (Pg. 2, Para. 33, Lines 1-4).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate Meyer's method of displaying the awards into the gaming machine of Falconer and Hurst in order to yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

7. Claims 17, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falconer (US 6832957) in view of Hurst (GB 2083936A) as applied to claims 1, and 18 above, in further view of Crawford (US 2003/0017868).

Regarding claim 17: Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst discloses that the display device displays said awards in association with the respective paylines on which said winning combination of the symbols occur.

Crawford '868 does disclose that the display device displays said awards in association with the respective paylines on which said winning combination of the symbols occur (Pg. 6, Claim 24, Lines 10-11).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate Crawford '868's method of displaying the awards into the gaming machine of Falconer and Hurst in order to yield the

predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

Regarding claim 32: Falconer and Hurst disclose that which is discussed above. However, neither Falconer nor Hurst discloses displaying said awards in association with the respective paylines on which said winning combination of the symbols occur.

Crawford '868 discloses displaying said awards in association with the respective paylines on which said winning combination of the symbols occur (Pg. 6, Claim 24, Lines 10-11).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate Crawford's method of displaying the awards into the gaming machine of Falconer and Hurst in order to yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

Response to Arguments

8. Applicant's arguments filed 10/08/2008 have been fully considered but they are not persuasive.

9. Regarding Applicant's argument that Falconer does not disclose using the same random determination to generate the plurality of symbols: The Falconer reference does not disclose this limitation, although this limitation is discussed above as being

disclosed in the Hurst reference (, in combination with the Hurst reference (Pg. 3, Lines 42-44) (paylines on the mechanical reels are displayed on the video display unit).

10. Regarding Applicant's argument that Hurst does not disclose "a plurality of reel displays of a set of reels": The examiner must respectively disagree. Hurst discloses that the reels are displayed on the win line and also reproduced in the display window (Pg. 1, Line129 – Pg. 2, Line 69).

11. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one skilled in the art to integrate the teachings of Hurst into the teachings of Falconer since the displaying all the winning payline combinations separately all at once would yield the predictable result of allowing players to easily view the reels and position of the symbols on the reels (Hurst, Pg. 1, Lines 41-45).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Pinheiro whose telephone number is (571)270-1350. The examiner can normally be reached on M - F 8:00 AM - 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art Unit 3714

/J. P./
Examiner, Art Unit 3714